

State Superfund Contract Update
April 1, 2013

State Superfund Contract signed: 09/11/2009
Amendment for \$750,000 signed on: 05/17/2012

Based on the information provided to CH2M HILL in August 2012 following the receipt of Mod 004 under TO053, CH2M HILL similar to EPA had the understanding that \$750K of State matching funds was being allocated to TO053 to allow for the completion of unrestricted site activities. In accordance with the SSC Progress Reports for TO043 and TO053 provided by the Contractor, the amount of State-matching funds needed through December 2012 on each TO is as follows:

TO043 - \$1,824,914

TO053 - \$520,370

TOTAL - \$2,345,284

Based on the [assumed] \$750K for State-matching funds for TO053, approximately \$230K remains in State-matching funds for 2013 to complete unrestricted site activities ($\$750K - \$520K = \$230K$). However, if we follow ODEQ's interpretation of the funds they should match and the language that is in the amended SSC of \$20,750,000, there ten percent match translates into \$2,075,000. Based on this number, we have already exceeded the State's matching funds available by \$270K (through December 2012) ($\$2,345,284 - \$2,075,000 = \$270,284$).

By April 30, 2013, the Contractor will provide the next quarterly SSC Progress Report for TO053 for the January-March 2013 timeframe. Unrestricted site activities continued this calendar year, and are scheduled to continue into the April-June 2013 quarter. These activities include:

- Distal 4 site restoration (chicken litter was delivered this week). Restoration, including approx. 1 acre of sod, is anticipated to require at least four weeks starting 4/15/13.
- CB143/146/147 low water crossing and final cleanup
- QSA activities at CB223, Distal 1 North, and Distal 3 (and other sites as "repairs" are identified) – anticipated to mobilize on 4/8
- Repository operations to support OU2 and the Catholic 40
- Remedial Action Reports for Distal 4, CB143/146/147, Distal 5, Distal 6
- Smelter site repair or settlement (~\$18,500 - \$25,000)
- Metes/bounds for ICs, and other reporting
- Filled mineshaft/subsidence feature monitoring
- Closeout Distal 5 and Distal 6 subcontracts – for example, remaining 25% of site restoration at each site
- Etc.

Even with these items, the Contractor anticipates completing unrestricted activities within the [assumed] \$750K of additional State-matching funding. With this noted, EPA needs to provide instructions to the Contractor how to proceed with the above/remaining unrestricted site work.

Total funds spent through December \$2.3M.

- We are still doing work this year on unrestricted land
- April - June time frame, Distal 4 chicken litter distribution will require 4 weeks to distribute across property, April May time frame, then seeding and incorporating wheat straw seed. 1 acre sod behind Greg's place
- low water crossing during that work (by the trailer on Mr. (b) (6)'s property)
- QSA mobilize next week on unrestricted areas that require follow up
- Repository that is support OU2
- RA Reports on work need to be completed
- Mets and bounds relative to the ICs, surveying
- mine shaft monitoring
- Exceeded number no tally for 2013. Not in jeopardy if the number is \$750K.
- Need to talk about what to do:

Issue a stop work order, to shut down WBS codes

Stop D4 restoration, etc.

Mr. Eby's settlement

We are doing what we are doing based on the ROD that the State supported

SSC did it cover TO43 which was

SSC for TO 53